

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

JOHN GORMAN,

Plaintiff,

- against - Civil Case No.: 1:14-cv-434

RENSSELAER COUNTY, SHERIFF JACK MAHAR,
ANTHONY PATRICELLI, UNDERSHERIFF PATRICK
RUSSO, COUNTY HUMAN RESOURCES MANAGER
TOM HENDRY, COUNTY EXECUTIVE KATHLEEN
JIMINO,

Defendants.

STENOGRAPHIC MINUTES OF EXAMINATION BEFORE
TRIAL conducted of Non-Party Witness, CHRISTINE
LAFOUNTAIN, held on the 24th day of September, 2015 at
the Law Office of Patrick Sorsby, 1568 Central Avenue,
Albany, New York, commencing at 10:00 a.m., before Diane
Daly-Gage, a Shorthand Reporter and Notary Public in and
for the State of New York.

1 APPEARANCES:

2 ON BEHALF OF PLAINTIFF:

3 LAW OFFICE OF PATRICK SORSBY, PLLC
4 1569 Central Avenue
5 Albany, New York 12205
6 518.545.4529
7 BY: PATRICK SORSBY, ESQ.

8 ON BEHALF OF DEFENDANTS and WITNESS:

9 MARTIN & RAYHILL, P.C.
10 421 Broad Street, Suite 10
11 Utica, New York 13501
12 315.507.3765
13 BY: KEVIN G. MARTIN, ESQ.
14 kmartin@martinrayhill.com

15 ALSO PRESENT:

16 Jeffery Ranken
17 John Gorman
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S T I P U L A T I O N S

IT IS HEREBY STIPULATED AND AGREED by and amongst the attorneys for the respective parties hereto, that filing, sealing and certifications are hereby waived;

IT IS FURTHER STIPULATED AND AGREED that all objections, except as to the form of the question, shall be reserved to the time of the trial;

IT IS FURTHER STIPULATED AND AGREED that the within Deposition may be signed before any Notary Public with the same force and effect as though subscribed and sworn to before this Court.

*** **

1 P-R-O-C-E-E-D-I-N-G-S

2 CHRISTINE LaFOUNTAIN,

3 (having been first duly sworn by the Notary
4 Public, was examined and testified as follows:)

5 MR. SORSBY: So parties agree to the usual
6 stipulations.

7 MR. MARTIN: The usual stips.

8 EXAMINATION

9 BY MR. SORSBY:

10 Q Good morning, Ms. LaFountain. How are you today?

11 A Fine, thanks.

12 Q Thank you for coming out this morning. Have you
13 been to a deposition before?

14 A No.

15 Q Okay. So this is your first time?

16 A Hm-hum.

17 MR. MARTIN: You have to verbalize your
18 answer.

19 A Yes.

20 MR. MARTIN: Uh-huh or hm-hum is hard
21 to...

22 Q Mr. Martin beat me to the punch on my typical
23 instructions. The record can't reflect or they
24 can't indicate on the record gestures. So you'll

1 have to verbalize your answer.

2 So I'm going to ask you a series of
3 questions today regarding the case of Gorman versus
4 Rensselaer County, and as Mr. Martin indicated you
5 have to answer yes or no, verbalize your response.
6 If you do not understand my question, I would ask
7 that you ask me to repeat it so that you understand
8 clearly what you're answering and what question your
9 answers are in regards to. I would also appreciate
10 if you have a question about my question, you wait
11 until I finish the question. So make sure I've
12 completed the question before you start to answer
13 the question so you understand completely what I'm
14 asking you. Other than that we shouldn't have any
15 difficulties today. And if you need to take a break
16 at any point you can certainly let me know and you
17 can take a break if you have any questions for your
18 attorney. Generally I would ask that if you have
19 any questions for me or our attorney, you wait until
20 my question is complete and you've answered the
21 question that I've asked. From time to time your
22 attorney, Mr. Martin, may object to the form of the
23 question, and at that point I will either rephrase
24 the question so that the record adequately reflects

1 the correct form of the question. Otherwise, your
2 attorney will not be able to make what they call
3 speaking objections as to the relevance of the
4 questions. So what that means is essentially he can
5 object to form so it's noted on the record so we can
6 deal with that potentially later if the form of the
7 question isn't correct, but you still have to answer
8 the question. Okay?

9 A Okay.

10 Q And that's it. Do you have any questions about my
11 instructions?

12 A No.

13 Q Okay. Now, Ms. LaFountain, did you have an
14 opportunity to discuss with your attorney, and don't
15 give me the substance of any conversations you've
16 had with your attorney, but did you have a chance to
17 talk about the case before today with Mr. Martin?

18 A Yes.

19 Q Okay. Did he give you any instructions as to what
20 not to say today?

21 A No.

22 MR. MARTIN: Object. Don't answer.

23 Q I'll start with your background, Ms. LaFountain.
24 Who are you currently employed with?

1 A The Rensselaer County Sheriff's Office.

2 Q And when did you start your employment there?

3 A September 16th, 1995.

4 Q And what position did you start?

5 A Correctional officer.

6 Q What position do you hold now?

7 A Correctional officer.

8 Q And tell us a little bit about your education. Do
9 you have any college degrees?

10 A No.

11 Q Can you just tell us briefly what type of special
12 training you might have as part of any
13 certifications, special training you might have in
14 terms of your employment at Rensselaer County
15 Sheriff's Department?

16 A I have field training officer, CPR, first-aid,
17 bloodborne pathogens. Just the basic certifications
18 for correctional officer.

19 Q Are you familiar -- do you know who John Gorman is?

20 A Yes.

21 Q And when is the first time that you met Mr. Gorman,
22 if you recall?

23 A The first day he was hired. I don't know.

24 Q Ms. LaFountain, have you ever gone out on medical

1 leave?

2 A Yes.

3 Q Okay. And how long were you on medical leave? This
4 is from Rensselaer County I presume?

5 A Hm-hum. For the birth of my daughter I was out and
6 again for the birth of my son, and then for
7 depression, anxiety, stress.

8 Q So those are three separate incidents?

9 A Yeah.

10 Q The time you went out on medical leave for anxiety
11 and stress, when did that happen?

12 A June 13th, 2013.

13 Q How long were you out on leave?

14 A I started back at the jail on May 11th, 2015.

15 Q Was that unpaid leave?

16 A Yes.

17 Q Did you apply for -- well, let me ask you this:

18 Your anxiety and the medical condition was
19 that work related?

20 A Yes.

21 Q Did you apply for 207-c benefits?

22 A Yes.

23 Q And did you get 207-c benefits?

24 A No.

1 Q Do you recall what the basis for your denial was?

2 A I believe the sheriff's department stated they
3 didn't get any of the medical reports from
4 my doctors.

5 Q Now, did you apply for workman's compensation
6 benefits?

7 A Yes.

8 Q And did you get those?

9 A No.

10 Q What was the basis of that denial, if you remember?

11 A Originally I was approved. The judge awarded me
12 them. And then it went through the appeal process
13 twice and I was -- it was suggested to me by the
14 attorneys to take it to the next, appeal it, and I
15 was just tired of the process, so I just said no and
16 I started the process to go back to work.

17 Q Do you recall why the county said you were not
18 eligible for workers' comp benefits?

19 A It wasn't work related.

20 Q But you indicated you believe it was work related;
21 correct?

22 A According to doctors I was seeing.

23 Q And I just wonder because I wrote it fast, you said
24 anxiety and what else. Did you say posttraumatic

1 stress?

2 A No.

3 Q Okay. What else did you say?

4 A Tension, stress and depression.

5 Q Did you meet with a doctor -- did you meet with a
6 doctor for the county?

7 A Yes.

8 Q And what was that doctor's name, if you recall?

9 A McIntyre.

10 Q Did you ultimately get an evaluation by him?

11 A Yes.

12 Q Did you receive a copy of that evaluation?

13 A Yes.

14 Q Do you recall what the conclusion was?

15 A He stated the symptoms were real, but it wasn't work
16 related.

17 Q And you're indicating your doctor's evaluation
18 contradicted that?

19 A Yes.

20 Q Okay. Can you tell us what in your work environment
21 caused this medical condition?

22 A It was I was named in a federal lawsuit.

23 Q You were named as a defendant?

24 A They were going after my husband and I, along with

1 the county, the nursing staff.

2 Q The nursing staff at the jail?

3 A Yes.

4 Q And that caused you stress?

5 A Yes.

6 Q Okay. You left in June of 2013. When did you start
7 experiencing symptoms?

8 A June 3rd.

9 Q Of 2013?

10 A Yes.

11 Q Were there any -- other than the federal lawsuit
12 were there any other things that caused or
13 contributed to your condition in the work
14 environment?

15 A Just the regular stresses of the job. I mean it's a
16 stressful job.

17 Q Any incidents of stress caused by other coworkers?

18 A Yes.

19 Q Can you tell us of any situations that would've
20 contributed to your medical condition other than the
21 typical day-to-day stress involving coworkers?

22 A No. I guess I can't understand what you're asking.

23 Q All right. I'm trying to determine the substance of
24 what caused your medical condition. Was it the

1 federal lawsuit against you or was it the workplace
2 environment or was it both?

3 A Both.

4 Q Okay. As to the workplace environment can you tell
5 us what contributed to your medical condition in the
6 workplace?

7 A At the time I was on a unit that I considered the
8 most stressful unit. There was -- it was the female
9 tier and you had minors, adults, med class lock-ins,
10 people that were there for mental health reasons.
11 Where normally on the male units you had a unit for
12 minors, you had a unit for adults, you had a unit
13 for mental health, you had a unit for -- they
14 weren't all together. Restricted housing. And
15 being the officer there it was from the time you
16 walked in until the time you left, a very -- just
17 stressful, very busy day.

18 Q All right.

19 A I don't know what else.

20 Q I'm trying to determine the workplace environment
21 other than the prisoners themselves as vis-a-vis
22 coworkers. That's what I'm trying to determine. If
23 there was any stress created by the work environment
24 as a result of interactions with fellow coworkers.

1 A I can't remember anything specific.

2 Q All right. You indicated there was an appeal for
3 your workers' comp case and you decided let that go,
4 and you wanted to come back to work. So was there a
5 time that you came back to work?

6 A I came back in May of 2015. I believe I put my
7 letter in in January, but it was a process to come
8 back.

9 Q Okay. Now, that's about, by my count, two years
10 later. You were out of work for about two years?

11 A Yes.

12 Q Did you ever receive any indication from the county
13 that you may be terminated for being out of work --

14 A Yes.

15 Q -- on unpaid leave?

16 A Yes.

17 Q And how --

18 MR. MARTIN: You might want to wait for
19 him to finish his question.

20 THE WITNESS: Sorry.

21 MR. SORSBY: No, she answered the
22 question.

23 BY MR. SORSBY:

24 Q And how did you receive that notice?

1 A Certified mail.

2 Q When did you receive that?

3 A End of June or beginning of July 2015.

4 MR. MARTIN: 2015? You were already
5 working by then.

6 THE WITNESS: '14, I'm sorry. '14.
7 You're right.

8 BY MR. SORSBY:

9 Q And who was that notice from?

10 A Sheriff Mahar.

11 Q Do you recall what it said?

12 A Due to Civil Service Law on July 17th, 2014 my
13 position with the sheriff's department would be
14 terminated.

15 Q Did you consult with the union in regards to that
16 letter?

17 A Yes.

18 Q And what did they advise you?

19 A That that's a Civil Service Law; once you're out
20 unpaid for a year they can terminate your position,
21 that I had up to four years to request my position
22 back under Civil Service Law I believe, and that
23 they had to give it to me.

24 Q Did you ask for -- at that time did they instruct

1 you to ask for a due process hearing?

2 A They mentioned it to me. Yes.

3 Q And did you ask for a due process hearing?

4 A No.

5 Q Now, did there come a time after you went out on
6 paid leave that you were brought through the jail
7 and there was a discussion about working the
8 midnight shift?

9 MR. MARTIN: Object to the form just
10 because you said paid leave. I believe she was
11 out on unpaid leave.

12 Q All right. Well, the time you were out on leave,
13 unpaid leave, did there come a time when you were
14 offered a midnight shift at the jail?

15 A No.

16 Q Okay. Did the county at any time offer to you an
17 accommodation to your position to deal with the
18 anxiety or the situation you were encountering?

19 MR. MARTIN: Object to the form. You may
20 answer.

21 A No.

22 Q I'm going to rephrase the question. Did the county
23 ever offer you an accommodation for your injury?

24 MR. MARTIN: Object to the form.

1 A No.

2 MR. SORSBY: What is the objection? I
3 just want to make sure the record is clear,
4 Mr. Martin. How is the form of the question
5 wrong so I can...

6 MR. MARTIN: It asks for a legal
7 conclusion. So the term "accommodation" is a
8 legal one. So that's the objection. She's
9 here to talk about facts, not law.

10 BY MR. SORSBY:

11 Q I'll ask you another question. At any time did the
12 county offer you any change in your position?

13 A No.

14 MR. SORSBY: I'm going to go off the
15 record, pause for a moment, and shut the
16 windows.

17 (Whereupon, a discussion was held off the
18 record.)

19 BY MR. SORSBY:

20 Q Back on the record. So you didn't ask for a due
21 process hearing. What was the next step that you
22 took after receiving a letter from the sheriff?

23 A I turned in my uniforms, badge and ID.

24 Q So you resigned your position?

1 A I was terminated.

2 Q You were terminated. Okay. What was the effective
3 date of your termination?

4 A July 17th I believe it was, 2014.

5 Q Did you seek assistance of an attorney in regards to
6 that termination at any time?

7 A No.

8 Q Okay. And so you're working for the county now.
9 When did you come back to work for the county?

10 A May of 2015.

11 Q Did you work anywhere else in between?

12 A Target.

13 Q The position you're in now was that the position you
14 were in before?

15 A Yes.

16 Q Okay. And how did you come by this position? Were
17 you canvassed as part of a -- you remain on a civil
18 service list; correct?

19 A I don't know.

20 Q You indicated before that the union instructed you
21 that you would be on a list for four years; is that
22 correct?

23 MR. MARTIN: Object to the form. I don't
24 think that was the testimony, but you can

1 answer.

2 A I don't know if it's a list, per se.

3 Q How do you understand that you became employed again
4 by the county?

5 A I put a letter in to the Civil Service Department
6 asking -- telling them that I was ready for my job
7 back.

8 Q And just to be clear, which Civil Service Department
9 are we talking about?

10 A In Rensselaer County.

11 Q And when did that letter go out, if you recall?

12 A It was January 2015.

13 Q And did they respond to that letter?

14 A No, the Civil Service Department did not.

15 Q Okay. Did somebody else respond to that letter?

16 A The sheriff's department sent me a letter telling me
17 I had to go be evaluated by Dr. McIntyre again.

18 Q And did you do that?

19 A Yes.

20 Q And what was the conclusion of that evaluation?

21 A That I was able to go back to work.

22 Q Okay. Do you know who Thomas Hendry is?

23 A Yes.

24 Q And how do you know Mr. Hendry?

1 A He's on paperwork at our jail if we have a human
2 services issue, and I also spoke with him at one
3 point about the disability.

4 Q Your disability?

5 A Yes.

6 Q Okay. And what did you talk to him about in regards
7 to your disability?

8 A I asked him for assistance with getting disability
9 pay once the 207-c was denied.

10 Q And just to be clear because there's different --
11 what type of disability are you talking about?

12 A Medical disability.

13 Q Are you referencing Social Security Disability?

14 A No. Disability at our jail, at the sheriff's
15 department.

16 Q Maybe I misunderstood. After you were denied the
17 207-c benefits, you talked to him about receiving
18 disability benefits; correct?

19 A Hm-hum.

20 Q Is there another form of disability benefits at the
21 sheriff's department other than 207-c?

22 A Yes.

23 Q Okay. And you talked to him about that other
24 disability?

1 A Yes.

2 Q Okay. And what did he say to you about that?

3 A He told me -- I had been denied it by the sheriff's
4 department, and I was asking him for assistance to
5 have it be given to me let's say, because I felt
6 they were wrong. And he looked into things and
7 specifically told me that the sheriff answered to no
8 one. That whatever he decided was it.

9 Q And had the sheriff said no to the non 207-c
10 benefits?

11 A Yes.

12 Q And how did he say no to that?

13 A It was Marcelle told me verbally.

14 Q And again, who is --

15 A Marcelle is the sheriff's secretary.

16 Q Did you send your request for the disability
17 benefits in writing to the sheriff?

18 A It was put in in July of 2013 when I originally went
19 out.

20 Q Okay. So it's an application?

21 A Yes.

22 Q All right. And the response from the sheriff's
23 department in regards to that application was
24 Marcelle telling you verbally that you had been

1 denied?

2 A No.

3 Q Okay. How did they respond to that?

4 A Originally they told me that I was not entitled to
5 disability because it was a work related medical
6 reason I was out.

7 Q Okay. And so where does Marcelle come in?

8 A When I asked for it again a year or so later she
9 said that I hadn't contributed to the disability in
10 the year that I had not been working, so I was not
11 entitled to the benefits.

12 Q Okay. I just want to back up briefly. After you
13 received the letter from the sheriff indicating you
14 would be terminated because you were out for more
15 than a year pursuant to the Civil Service Law, you
16 indicated that you had had -- after that you had an
17 evaluation by Dr. McIntyre. Was there -- did
18 you receive a letter from the sheriff's office
19 saying that you would have to go to Dr. McIntyre to
20 be evaluated?

21 A Yes.

22 Q And in that letter did it say that you had to prove
23 that you had recovered from your illness first?

24 A No, I don't believe so.

1 Q Okay. Other than that letter did anybody from the
2 county instruct or tell you that you had to prove
3 that you had overcome your medical disability --

4 A No.

5 Q -- before you went to the medical evaluation?

6 A No.

7 Q Did there come a time when Mr. Hendry contacted you
8 regarding a workplace violence complaint that
9 Mr. Gorman had filed with the county?

10 A I do think he called one time.

11 Q And did he call you while you were working on the
12 jail phone?

13 A Yes.

14 Q Okay. Do you remember the questions he asked you?

15 A No.

16 Q Do you remember giving him a statement?

17 A No.

18 Q Do you remember him telling you about Mr. Gorman's
19 allegation, some workplace violence?

20 A He didn't tell me specifically about it. He said
21 that that was what it was regarding.

22 Q Now, do you know if -- did you get an indication
23 that Mr. Hendry was taking notes as part of that
24 investigation when he spoke to you?

1 A No.

2 Q Did he ask you to come in as part of that
3 investigation for further discussions?

4 A No.

5 Q Did he have more than one conversation with you?

6 A No.

7 Q It was just that one phone call?

8 A He had called earlier and whatever job I had I
9 wasn't available, and then he called again. I only
10 spoke to him that second time.

11 Q And just for clarification, that conversation --
12 okay. All right.

13 Do you recall stating to Mr. Hendry that
14 there was retaliation going on throughout the jail?

15 A No.

16 Q Okay. Do you remember talking to him about
17 retaliation of any kind going on at the jail as part
18 of that phone conversation?

19 A No.

20 Q What response did you give Mr. Hendry in regards to
21 his questions about workplace violence complaint?

22 A I believe I told him that the phone lines were taped
23 and I wasn't going to say anything on them.

24 Q How did he respond to that?

1 A He told me that if I had anything to tell him, to --
2 hear's my number, call me when you got out.

3 Q And you didn't call him back; is that true?

4 A Right.

5 Q Okay. Did he follow-up?

6 A No.

7 Q Do you know who Anthony Patricelli is?

8 A Yes.

9 Q And how do you know him?

10 A Through working at the jail.

11 Q Have you ever witnessed Mr. Petricelli verbally
12 threaten another coworker?

13 A No.

14 Q How about physically threaten?

15 A No.

16 Q I want to direct your attention to January 22nd,
17 2013. Do you recall observing Mr. Petricelli and
18 Mr. Gorman in the west hall?

19 A I'm not sure on the date exactly, but yes, I was the
20 west hall officer for a time.

21 Q Do you recall an incident during, this would be the
22 beginning of January 2013, between Mr. Petricelli
23 and Mr. Gorman?

24 A Yes.

1 Q And can you tell us what happened?

2 A I was sitting at the desk, the west hall desk,
3 Sergeant Petricelli was walking into the booking
4 door or waiting at the booking door like to get
5 buzzed through, for it to open, and John Gorman was
6 coming from another direction. And as Petricelli
7 went over he said good morning and I said good
8 morning back and John didn't say anything and
9 Petricelli said it again, good morning. And I'm not
10 sure if John said morning or if he didn't say
11 anything, I don't remember that, but he just kept
12 walking, Mr. Gorman did. And after he left Sergeant
13 Petricelli came over to me and said did you see how
14 he wouldn't even say good morning to me. I was just
15 trying to be nice.

16 Q So Mr. Gorman and Petricelli walked right by each
17 other?

18 A Yes.

19 Q Did you see any physical contact?

20 A No.

21 Q When Petricelli said to Mr. Gorman "good morning"
22 the second time, did he turn around to tell
23 Mr. Gorman good morning?

24 A He was already facing us.

1 Q Who was already facing?

2 A Sergeant Petricelli.

3 Q Okay. Now, Mr. Gorman was at the booking desk at
4 that time?

5 A No. He was in the hallway.

6 Q In the hallway. Approaching the booking desk?

7 A Approaching the west hall desk.

8 Q Okay.

9 A Sergeant Petricelli was standing, waiting to get
10 into booking at the booking door.

11 Q All right. And so they walked by each other
12 basically; is that correct?

13 MR. MARTIN: Object to the form. He was
14 standing at the booking door.

15 MR. SORSBY: Who was standing? Mr...

16 MR. MARTIN: Petricelli.

17 MR. SORSBY: All right. I understand that
18 counselor, but she indicated that they walked
19 by each other at some point. So I'm trying to
20 get a little bit more specific as to at what
21 point they walked by each other.

22 MR. MARTIN: She testified he was standing
23 at the booking door twice now. Gorman walked,
24 Petricelli standing.

1 MR. SORSBY: I understand, counsel. I'm
2 not going to have you testify. I want her to
3 testify.

4 MR. MARTIN: Let's be accurate.

5 MR. SORSBY: Only she can be accurate. We
6 can't testify. So let's let her do that.

7 BY MR. SORSBY:

8 Q Do you know where Patricelli's office is located at
9 the jail at that time?

10 A Yes.

11 Q And where is that in relation to the main facility
12 at the jail? Is it located in the same facility, in
13 the main facility?

14 A It's not located in the secured area of the jail.
15 It's located where the administration was at the
16 time.

17 Q Okay. And where is -- where was the administration
18 at this time located in relation to the secured
19 facility?

20 A I would say it was in the front of it. It's out
21 there.

22 Q Okay. How is it that you know that the phone calls
23 are recorded there?

24 MR. MARTIN: Object. She said that she

1 knew that they were recorded.

2 MR. SORSBY: Okay.

3 MR. MARTIN: She didn't know they were
4 recorded there.

5 MR. SORSBY: Well, she can -- she said
6 they know -- let me...

7 BY MR. SORSBY:

8 Q Do you know if the phone calls were recorded at the
9 jail facility?

10 A It was in the papers that they were.

11 Q Okay. And that's how you came to know that they
12 were recorded there?

13 A Yes.

14 Q Okay. Can you tell me what, if anything, you know
15 about the jail's policy in regards to reporting
16 claims of disability?

17 A I believe you have to have your paperwork in with a
18 doctor's note after you're out for seven days.

19 Q Okay. And did they have -- does the jail have -- do
20 you know what the policy is in regards to
21 discrimination based upon a disability?

22 A No.

23 Q Okay. Now, the west hall where the incident -- the
24 incident we're talking about with Mr. Patricelli and

1 Mr. Gorman, are there video cameras in there?

2 A I believe there's several throughout the hall.

3 Q Do you happen to know what the policy is in regards
4 to preservation of those videos?

5 A No.

6 MR. SORSBY: Okay. I'll take a
7 five-minute break, counselor, and then we'll
8 reconvene and perhaps finish with
9 Ms. LaFountain and send her on her way.
10 (Whereupon, there was a short recess in the
11 proceedings.)

12 MR. SORSBY: You're free to go.

13 THE WITNESS: Thank you.

14 - - -

15 (Whereupon, at 10:54 a.m., the examination of
16 CHRISTINE LaFOUNTAIN in the above-entitled
17 matter was concluded.)

18 - - -

19
20 (There were no exhibits marked for ID)

21

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23

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C E R T I F I C A T I O N

I, DIANE DALY-GAGE, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby CERTIFY that prior to being examined, the witness named in the foregoing deposition was duly sworn to testify the truth, the whole truth and nothing but the truth.

That said deposition was taken down by me in shorthand at the time and place therein named and thereafter reduced by me to typewritten form and that the same is a true, correct and complete of said proceedings.

Before completion of the deposition, review of the transcript was required. If requested, any changes made by the deponent (and provided to the reporter) during the period allowed are appended hereto.

I further certify that I am not interested in the outcome of this matter.

Witness my hand this _____ day of _____, 2015.

DIANE DALY-GAGE

CERTIFICATE OF OATH

STATE OF NEW YORK)

COUNTY OF)

I, Christine LaFountain, hereby certify that I have read the transcript of my testimony taken under oath; that the transcript is a true and complete record of what was asked, answered, and said during the examination in the above matter, and that the answers in this transcript, as given by me, are true and correct, except for the changes and/or corrections indicated on the Errata Sheet attached hereto.

CHRISTINE LAFOUNTAIN

Subscribed and sworn to
before me this _____ day
of _____, 2015

Notary Public

1 ERRATA SHEET FOR THE TRANSCRIPT OF:

2 Case name: John Gorman v. Rensselaer County, et al
3 Dep. Date: September 24, 2015
4 Deponent: Christine LaFountain
Place: Albany, New York

5 CORRECTIONS

6 **PAGE** **LINE** **CHANGE FROM:** **CHANGE TO:**

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20 Under penalties of perjury, I declare that I have read
21 the foregoing document and that the facts state in it are
true.

22 _____

23 Date

Signature

24

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CHRISTINE LAFOUNTAIN

BY: PATRICK SORSBY, ESQ.

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